

Chapter 8.28 NOISE STANDARDS

Sections:

[8.28.010 Noise standards.](#)

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- A. It is unlawful for any person to make or continue or cause to be made or continued, any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, safety or peace of others within the city when not in the normal or usual conduct of commercial or industrial business.

The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of the provisions of this chapter, but such enumeration shall not be deemed to be exclusive:

1. Horns, Signaling Devices and the Like. The sounding of any horn or signaling device on any automobile, motorcycle, bus, train or other vehicle on any street or public place of the city, except as a danger warning or as required by federal or state statute; the creation by means of any such signaling device of any unreasonably loud or harsh sound, the sounding of any such device for an unnecessary and unreasonable period of time; the use of any horn, whistle or other device operated by engine exhaust; and the use of any such signaling device when traffic is for any reason held up;
2. Radios, Phonographs and the Like. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph or other such machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto; and the operation of any such set, instrument, phonograph, machine or device between the hours of eleven (11) p.m. and seven a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which such sound is located shall be prima facie evidence of a violation of the provisions of this section;
3. Loudspeakers and Amplifiers for Advertising. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure;
4. Yelling, Shouting and the Like. Yelling, shouting, hooting, whistling or singing on the public streets particularly between the hours of eleven (11) p.m. and seven a.m. or at any time or place or as to annoy or disturb the quiet, comfort or repose of persons in any office or in any dwelling, hotel or other type of residence or of any person in the vicinity;
5. Animals and Birds. The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort or repose of any persons in the vicinity;
6. Steam Whistles. The blowing of any locomotive steam whistle or steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work or as a warning of fire or danger or upon the request of proper city authorities;

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7. Exhausts. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom;
8. Defects in Vehicles or Loads. The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in such a manner as to create loud and unnecessary grating, grinding, rattling or other noise;
9. Construction or Repair of Buildings.
 - a. The performance of any construction, alteration or repair activities which require the issuance of any building, grading or other permit may occur only during the following hours:
 - i. Monday through Friday: six a.m. to six p.m.;
 - ii. Saturdays: eight a.m. to five p.m.;
 - iii. Sundays and observed holidays: eight a.m. to five p.m.
 - b. Any noise from the above activities, including from any equipment used therewith, shall not produce noise levels in excess of the following:
 - i. Saturdays: eighty (80) dBA when measured at the property line or at a distance of twenty-five (25) feet, whichever is greater.
 - ii. Sundays and observed holidays: seventy (70) dBA when measured at the property line or at distance of twenty-five (25) feet, whichever is greater.
 - c. The building official may grant a permit for building activities during other time periods for emergency work or extreme hardship. "Emergency work" means work made necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from an imminent exposure to danger. Any permit so granted shall be of specified limited duration and may be subject to any conditions necessary to limit or minimize the effect of any noise permitted thereby.
10. Schools, Courts, Churches and Hospitals. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while they are in use or adjacent to any hospital, which noise unreasonably interferes with the workings of such institution or disturbs or unduly annoys patients in the hospital provided conspicuous signs are displayed in such streets indicating that the building is a school, hospital or court street;
11. Hawkers and Peddlers. The shouting and crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood;
12. Drums. The use of any drum or other instrument or device for the purpose of attracting attention to any performance, show or sale by the creation of noise;
13. Transportation of Metal Rails, Pillars and Columns. The transportation of rails, pillars or columns of iron, steel or other materials over and along the streets and other public places upon carts, drays, cars or trucks or in any other manner as to cause loud noises or disturb the peace and quiet of such streets or other public places between the hours of ten (10) p.m. and six a.m.
14. Pile Drivers, Hammers and the Like. The operation between the hours of ten (10) p.m. and seven a.m. of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance the use of which is attended by loud or unusual noise; and
15. Blowers. The operation of any noise-creating blower or power fan or any internal combustion engine the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.

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- B. Exceptions. The provisions of this section shall not apply to any regularly scheduled activities sponsored by a municipal corporation, political subdivision of the state or special district or any activities being held on land owned or controlled by a municipal corporation, political subdivision of the state or special district.
- C. Remedies and Penalties for Violation.
 - 1. Violation and Infraction. A person who violates any provision of this section shall be deemed guilty of an infraction upon conviction thereof, punishable pursuant to the provisions of this code.
 - 2. Violation a Public Nuisance. A violation of this section is a public nuisance and may be abated by a civil action, including a restraining order or injunction.

(Ord. No. 519, 8-8-2012)